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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/709,993	11/10/2000	Matthew Brown	CON1350-011B	4667
7590	12/19/2005		EXAMINER	
RIA FARRELL SCHALNAT FROST BROWN TODD LLC 2200 PNC CENTER 201 EAST FIFTHE STREET CINCINNATI, OH 45202			GRAHAM, CLEMENT B	
			ART UNIT	PAPER NUMBER
			3628	
DATE MAILED: 12/19/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/709,993	BROWN ET AL.	
	Examiner	Art Unit	
	Clement B. Graham	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 12 September 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 13-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 13-52 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/12/05 has been entered.

2. Claims 13-52, remained pending in this application.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-23, are rejected under 35 U.S.C. 103(a) as being unpatentable over Peters et al(Hereinafter Peters U.S Patent 5,696,906 in view of Schutzer U.S Patent 6,292,789.

As per claims 13-26, Peters discloses a method in a computer system for providing a customer billing statement for a plurality of different communications services, the method comprising the act of:

(a) using a computer system to perform the act of formatting a customer billing statement to create a formatted billing statement form, the step of formatting comprising the steps of:
(i) creating a plurality of statement presentation codes, each statement presentation code comprising one or more attributes for dictating the presentation of transaction information on a customer billing statement (Note abstract and see figure 4 and column 2 lines 15-43 and see column 6 lines 45-67 and column 7-9 lines 5-67)

- (ii) creating a plurality of user-selected sections, each section having at least one of said statement presentation codes being selected by a user,
- (iii) creating a plurality of segments, each segment having at least one of said sections (see figure 4 and column 2 lines 15-43 and see column 6 lines 45-67 and column 7-9 lines 5-67)
- (iv) assigning at least one statement presentation code from said plurality of statement presentation codes to at least one section from said plurality of sections,
- (v) assigning at least one section from said plurality of sections to each one of said plurality of segments (Note abstract and see figure 4 and see column 6 lines 45-67 and column 7-9 lines 5-67) and

(b) entering billing information relating to a plurality of communications services provided to a customer into said formatted billing statement form in accordance with said segments, said sections, and said statement presentation codes to create a completed billing statement; and

(c) providing said completed billing statement to said customer. (Note abstract and see figure 4 and column 2 lines 15-43 and see column 6 lines 45-67 and column 7-9 lines 5-67).

Peters fail to explicitly teach allowing a provider of said plurality of communication services to determine a format for customer billing statements relating to said plurality of communications services provided by said communication service provider, wherein the formatting is conducted in accordance with said format.

However Schutzer discloses In an embodiment of the present invention, the bill service provider reformats design and content into standard format submits templates and associated content to the commerce document server for storage, and provides value added services to the bill service provider bills the biller for services. The bill service provider also logs transaction activity and status. The bill service provider is billed by the consumer document server for storage, access, and traffic. The bill service provider updates bill status and may hosts enclosure content. The bill service provider

may be the first level response for consumer service requests. The bill service provider typically contracts with multiple billers.(see column 9 lines 36-48).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Peters to include allowing a provider of said plurality of communication services to determine a format for customer billing statements relating to said plurality of communications services provided by said communication service provider , wherein the formatting is conducted in accordance with said format taught by Schutzer in order to provide electronic delivery of a bill from any biller to any consumer and for electronic delivery of subsequent payment from the consumer to a biller.

As per claims 27-39, Peters discloses a method in a computer system for providing a customer billing statement for a plurality of different communications services, the method comprising the steps of:

- (a) using a computer system to perform an act of formatting a customer billing statement to create a formatted billing statement form, the step of formatting comprising the steps of:
 - (i) creating a plurality of statement presentation codes, each statement presentation code comprising one or more attributes for dictating the presentation of transaction information on a customer billing statement (see figure 4 and column 2 lines 15-43 and see column 6 lines 45-67 and column 7-9 lines 5-67).
 - (ii) creating a plurality of user-selected sections, each section having at least one of said statement presentation codes being selected by a user .(Note abstract and see figure 4 and column 2 lines 15-43 and see column 6 lines 45-67 and column 7-9 lines 5-67)
 - (iii) creating a plurality of segments, each segment having at least one of said sections,
 - (iv) assigning at least one statement presentation code from said plurality of statement presentation codes to at least one section from said plurality of sections(Note abstract and see figure 4 and see column 6 lines 45-67 and column 7-9 lines 5-67) and

(v) assigning at least one section from said plurality of sections to each one of said plurality of segments;

(b) receiving input representing a preference of a customer for separate billing statements, wherein each of said separate billing statements relates to one or more different communications services provided to said customer (Note abstract and see figure 4 and column 2 lines 15-43 and see column 6 lines 45-67 and column 7-9 lines 5-67)

(c) entering billing information relating to a plurality of services provided to said customer into said formatted billing statement form in accordance with said segments, said sections, said statement presentation codes, and said input to create one or more completed billing statements.(Note abstract and see figure 4 and column 2 lines 15-43 and see column 6 lines 45-67 and column 7-9 lines 5-67) and

(d) providing said one or more completed billing statements to said customer (Note abstract and see figure 4 and column 2 lines 15-43 and see column 6 lines 45-67 and column 7-9 lines 5-67).

Peters fail to explicitly teach allowing a provider of said plurality of communication services to determine a format for customer billing statements relating to said plurality of communications services provided by said communication service provider , wherein the formatting is conducted in accordance with said format.

However Schutzer discloses In an embodiment of the present invention, the bill service provider reformats design and content into standard format submits templates and associated content to the commerce document server for storage, and provides value added services to the bill service provider bills the biller for services. The bill service provider also logs transaction activity and status. The bill service provider is billed by the consumer document server for storage, access, and traffic. The bill service provider updates bill status and may hosts enclosure content. The bill service provider may be the first level response for consumer service requests. The bill service provider typically contracts with multiple billers.(see column 9 lines 36-48).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Peters to include allowing a provider of said plurality of communication services to determine a format for customer billing statements relating to said plurality of communications services provided by said communication service provider , wherein the formatting is conducted in accordance with said format taught by Schutzer in order to provide electronic delivery of a bill from any biller to any consumer and for electronic delivery of subsequent payment from the consumer to a biller.

As per claims 40-52, Peters discloses a method for providing a customer billing statement for a plurality of different communications services, the method comprising the steps of:

- (a) using a computer system to perform act of formatting a customer billing statement to create a formatted billing statement form, the step of formatting comprising the steps of:
 - (i) creating a plurality of statement presentation codes, each statement presentation code comprising one or more attributes for dictating the presentation of transaction information on a customer billing statement (Note abstract and see figure 4 and see column 6 lines 45-67 and column 7-9 lines 5-67) and
 - (ii) creating a plurality of user-selected sections, each section having at least one of said statement presentation codes being selected by a user (Note abstract and see figure 4 and see column 6 lines 45-67 and column 7-9 lines 5-67) and
 - (iii) creating a plurality of segments, each segment having at least one of said sections,
 - (iv) assigning at least one statement presentation code from said plurality of statement presentation codes to at least one section from said plurality of sections (Note abstract and see figure 4 and see column 6 lines 45-67 and column 7-9 lines 5-67) and
 - (v) assigning at least one section from said plurality of sections to each one of said plurality of segments (Note abstract and see figure 4 and see column 6 lines 45-67 and column 7-9 lines 5-67) and

- (b) entering billing information relating to a plurality of communications services provided to a customer into said formatted billing statement form in accordance with said segments, said sections, and said statement presentation codes to create one or more statement export files; and
- (c) providing said one or more statement export files to a print vendor for printing one or more completed billing statements. (Note abstract and see figure 4 and see column 6 lines 45-67 and column 7-9 lines 5-67).

Peters fail to explicitly teach allowing a provider of said plurality of communication services to determine a format for customer billing statements relating to said plurality of communications services provided by said communication service provider , wherein the formatting is conducted in accordance with said format.

However Schutzer discloses In an embodiment of the present invention, the bill service provider reformats design and content into standard format submits templates and associated content to the commerce document server for storage, and provides value added services to the bill service provider bills the biller for services. The bill service provider also logs transaction activity and status. The bill service provider is billed by the consumer document server for storage, access, and traffic. The bill service provider updates bill status and may hosts enclosure content. The bill service provider may be the first level response for consumer service requests. The bill service provider typically contracts with multiple billers.(see column 9 lines 36-48).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Peters to include allowing a provider of said plurality of communication services to determine a format for customer billing statements relating to said plurality of communications services provided by said communication service provider , wherein the formatting is conducted in accordance with said format taught by Schutzer in order to provide electronic delivery of a bill from any biller to any consumer and for electronic delivery of subsequent payment from the consumer to a biller.

Conclusion

5. Applicant' argument's filed 9/12/05 has been fully considered but they are moot in view of new grounds of rejections.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

February 25, 2005


Clement B. Graham
Patent Examiner
AU 3628